

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ROBERT JAMES FOX

v.

REECE DANIEL, et al.

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CIVIL ACTION NO. 6:16cv44

**ORDER ADOPTING REPORT AND
RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE**

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of the complaint has been presented for consideration. The Report and Recommendation (Docket No. 5), filed on February 10, 2016, recommends that the complaint be dismissed with prejudice under Federal Rule of Civil Procedure 41(b). The Court previously ordered that Plaintiff must obtain permission of the Court before filing any new litigation in the Eastern District of Texas. *Fox v. City of Jacksonville, Texas*, Civil Action No. 2:10-CV-158, Docket No. 56 (E.D. Tex. July 21, 2011). Plaintiff has not shown that he received permission to file the present lawsuit. The Report and Recommendation was mailed to Plaintiff on February 11 and June 9, 2016 via certified mail. Delivery could not be accomplished at the address provided by Plaintiff. Plaintiff has not provided any other address or otherwise contacted the Court. No written objections have been filed to the Report and Recommendation. The Court therefore **ADOPTS** the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

ORDERED that the complaint is **DISMISSED** with prejudice.

So ORDERED and SIGNED this 31st day of October, 2016.

Robert W. Schroeder III
ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE